

clear that that violation is not a prima facie evidence of a criminal violation.

SENATOR CHAMBERS: I'm...

SENATOR LINDSAY: It's merely prima facie evidence of a civil violation.

SENATOR CHAMBERS: Right, I'm aware of that. But if you create a prima facie case of professional negligence, that then subjects the doctor to complaints against him or her to whatever agency is going to review the suitability of a doctor to practice, isn't that true?

SENATOR LINDSAY: Well, my reading from the World-Herald is that, no, that is not true. It does not...that there is very little oversight of doctors right now.

SENATOR CHAMBERS: But a complaint could be filed based on that?

SPEAKER BAACK: One minute.

SENATOR LINDSAY: A complaint could be filed with or without a finding of professional negligence.

SENATOR CHAMBERS: But this creates a vehicle for doing that more easily, doesn't it? That's why it is in the bill.

SENATOR LINDSAY: No, it is not in the bill...the reason it is in the bill is because medical malpractice cases are extremely difficult to prove, and whether that is in this area or in any other area. I might also add it is a section if it were in any other bill you would probably be supporting it.

SENATOR CHAMBERS: I have another question I want to ask you but our time is about up so I won't ask it right now.

SPEAKER BAACK: Thank you, Senator Chambers. Senator Chambers, yours is the next light on, did you wish to continue?

SENATOR CHAMBERS: Yes, Mr. Speaker, Senator Lindsay, again, do you have a copy of this amendment before you. If not, I will try to read what it is I want to talk about.

SENATOR LINDSAY: I have it here.